

R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE DECLARATION

Submitted herewith is a copy of the previously submitted Declaration which: (i) identifies the citizenship of each inventor and the city and foreign country of residence of each inventor, (ii) sets forth the full name of each inventor (see page 4), and (iii) states that the person making the oath or declaration has reviewed and understands the contents of the specification (see page 1). Accordingly, it is respectfully requested that the objection to the Declaration be withdrawn.

THE CLAIMS

Independent claim 1 has been amended to recite that the feeder is arranged such that the charging opening is open toward the first end of the vehicle body in the traveling direction and obliquely to the traveling direction in a planar view. In addition, claim 1 has been amended to recite that the scattering prevention cover is arranged relative to the charging opening when the rotary crushing device crushes the wood into wood chips and the conveyer transfers the wood chips crushed by the rotary crushing device away from the vehicle body such that a part of

the charging opening not covered by the scattering prevention cover opens in a direction opposite to an extending and crushed wood chip transfer and discharge direction of the conveyer and any wood chips that are discharged from the uncovered part of the charging opening do not fall onto the conveyer.

Still further, claims 1, 6 and 18 have been amended to make some minor grammatical improvements and to correct some minor antecedent basis problems so as to put them in better form for issuance in a U.S. patent.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered under 37 CFR 1.116.

THE PRIOR ART REJECTION

Claims 1, 3-13, 15, 16, 18, 20, 21, 23-27 and 29 were rejected under 35 USC 103 as being unpatentable over JP 2003-170075 ("Masamichi et al") in view of the Admitted Prior Art (JP 2001-009318), and as being unpatentable over the Admitted Prior Art in view of Masamichi et al. These rejections, however, are respectfully traversed with respect to the claims as amended hereinabove.

According to the present invention as recited in amended independent claim 1, a movable wood crushing machine for producing crushed wood chips by crushing charged wood is provided

which comprises a vehicle body provided with a travel device for traveling, a rotary crushing device provided at a first end of the vehicle body in a traveling direction for crushing the wood into the wood chips, and a tub-type feeder having a rotary tub with a charging opening for charging wood to be crushed. As recited in amended independent claim 1, the feeder is arranged such that charging opening is open toward the first end of the vehicle body in the traveling direction and obliquely to the traveling direction in a planar view. In addition, as recited in amended independent claim 1, a conveyer extends from a position under the rotary crushing device toward a second end of the vehicle body in the traveling direction, opposite the first end, for transferring and discharging the wood chips crushed by the rotary crushing device away from the vehicle body, and a drive unit is provided for driving drive sources for the travel device, the rotary crushing device, the tub-type feeder, and the conveyer. Still further, as recited in amended independent claim 1, the tub-type feeder has a scattering prevention cover which only partially covers the charging opening and which is arranged relative to the charging opening when the rotary crushing device crushes the wood into wood chips and the conveyer transfers the wood chips crushed by the rotary crushing device away from the vehicle body such that a part of the charging opening not covered by the scattering prevention cover opens in a direction opposite

to an extending and crushed wood chip transfer and discharge direction of the conveyer and any wood chips that are discharged from the uncovered part of the charging opening do not fall onto the conveyer.

With the structure of the claimed present invention, the scattering prevention cover (75) does not cover the entire charging opening (76) of the tub-type feeder (7) but covers only a part thereof (see Fig. 34). Therefore, there is a possibility of chips in the feeder (7) falling out of the feeder (7) via the uncovered part of the charging opening (76). In accordance with the claimed present invention, however, even if this occurs, the chips that fall out do not mix with the crushed chips on the conveyor (4) because the uncovered part of the charging opening (76) opens in a direction opposite to an extending and crushed wood chip transfer and discharge direction of the conveyer (4). See Fig. 34 and the description in the specification at page 36, line 25 to page 37, line 7.

To further improve the prevention of chips that fall out from mixing with the crushed chips on the conveyor, the feeder is arranged such that charging opening is open toward the first end of the vehicle body in the traveling direction and obliquely to the traveling direction in a planar view. This latter feature is shown in Fig. 34 wherein the arrow N indicates the direction in which wood pieces spring out of the discharge opening and thus

the direction in which the discharge opening is open, and also Fig. 2 wherein the charging direction is open obliquely to a corner formed by the rear and left side of the crushing machine (see the specification at page 31, lines 13-14).

By arranging the feeder and its charging opening and scattering prevention cover in the foregoing manner, wood can be effectively loaded over a short distance into the feeder by a loading device situated on a lateral side of the crushing machine while any chips that fall out from the charging opening do not mix with the crushed chips on the conveyor because the charging opening (i.e., the uncovered part of the charging opening) is directed toward a corner of the crushing machine and opens in a direction opposite to an extending and crushed wood chip transfer and discharge direction of the conveyer and obliquely to the traveling direction.

It is respectfully submitted that the cited prior art does not disclose, teach or suggest a rotary tub having a charging opening which is only partially covered by a scattering prevention cover and wherein a part of the charging opening not covered by the scattering prevention cover opens in a direction opposite to an extending and crushed wood chip transfer and discharge direction of the conveyer and wherein the charging opening is open toward an end of the vehicle body in the traveling direction at which a rotary crushing device is situated

and obliquely to the traveling direction in a planar view, as according to the present invention as recited in amended independent claim 1.

In particular, it is respectfully pointed out that Masamichi et al does not disclose a wood crushing machine having a scattering prevention cover. In addition, it is respectfully pointed out that the wood crushing machine disclosed in the Admitted Prior Art includes a scattering prevention cover, but the part of the charging opening not covered by the scattering prevention cover is opened to and faces the conveyor (see, e.g., the cover 7B of Fig. 5). As such, coarse chips which fall out of the charging opening may scatter onto the conveyor to be mixed with the crushed wood chips and thereby detrimentally impact the operation of the crushing machine.

Still further, it is respectfully submitted that it would not have been obvious to one of ordinary skill in the art to modify Masamichi et al in view of the Admitted Prior Art, or vice versa, to achieve the structure of the claimed present invention because neither reference discloses the unexpected advantage of reducing the possibility of wood chips that fall out from the feeder from mixing with wood chips on the conveyor derived from the feeder being constructed with the scattering prevention cover such that the charging opening is open toward a more proximate end of the vehicle body and obliquely to the traveling direction

in a planar view. This unique combination of the construction and positioning of the scattering prevention cover of the feeder over the charging opening is entirely unforeseen in the cited prior art references, and thus cannot be an obvious combination of features of the cited prior art references.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claim 1, and claims 3-13, 15, 16, 18, 20, 21, 23-27 and 29 depending therefrom, clearly patentably distinguishes over Masamichi et al and the Admitted Prior Art under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned for prompt action.

Respectfully submitted,

/Douglas Holtz/

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